IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 3871 of 1994

Between:

Salarjung Museum, Rep.by Director Dr. I.K. Sarma,

S/o late I.V.Subrahmanyam, R/o Hyderabad.

..... PETITIONER

AND

1 The Commissioner, M.C.H.,
Hyderabad.
2 The Dy. Commissioner, M.C.H. Circle No.1,
Sardarmahal, Charminar (East),
Hyderabad.
3 The State of Andhra Pradesh, Rep. by Prl. Secretary,
Municipal Administration & Urban Development Department

Buildings, Hyderabad.

..RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ one in the nature of "Certiorari" quashing the notice of demand Dt: 4-3-1994 issued by the 1st respondent after calling for the original notice of demand aforesaid and all other connected records and be pleased to pass such further or other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.KARNAM RAMESH

Counsel for the Respondent NoS 1 AND 2: MR.C.R.PRATAP REDDY (SC MCH, CIRCLE 3-5)

Counsel for Respondent No.3 : G.P. for Municipal Adminsitrarion and Urban Development.

The Court made the following Order: (per BRSR.J)

The demand notice dated 4.3.1994 issued by the Municipal Corporation of Hyderabad requiring the petitioner-Salarjung Museum to pay the specified amounts therein towards the property tax on the staff quarters and as well as the service charges so far as the area occupied by the museum is concerned is challenged in this writ petition.

The petitioner-Salarjung Museum claims to be an educational institution and is exempted from the purview of levy and collection of the property tax and service charges. It is evident from the record that the petitioner –Salarjung Museum addressed a letter dated 31.7.1993 to the Principal Secretary to Government of Andhra Pradesh, Municipal Administration and Urban Development Department, seeking the interference of the government and to issue necessary directions to the Municipal Corporation to revise the service charges and property tax of the museum building and 40 staff quarters to a reasonable extent taking into account the stature of the institution and other relevant factors. It is not known as to whether any decision has been taken by the Government with reference to the letter dated 31.7.1993 addressed by the petitioner to the Government. Interests of justice would be met by directing the 3rd respondent State to take an appropriate decision in the matter in accordance with law, if no decision has been taken so far in this regard. It

shall be open to the petitioner-Salarjung Museum to renew its request if the earlier request of the petitioner continues to be under consideration of the Government.

The writ petition is accordingly disposed of. No costs.

(B.SUDERSHAN REDDY,J)

Dated 17..09..2004

(K.C.BHANU,J)

msv.

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner, M.C.H.,
Hyderabad.
2 The Dy. Commissioner, M.C.H. Circle No.1,
Sardamahal, Charminar (East),
Hyderabad.
3 The Principal Secretary,

Municipal Administration & Urban

Development Department Buildings,

State of Andhra Pradesh,
Hyderabad.

4. 2CCs to GP for Municipal Administration and Urban

Development, High Court of A.P. Hyderabad (OUT).

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